

DRAFT  
MINUTES OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO

REGULAR MEETING:

19 FEBRUARY 2002

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Council members Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Belvin J. Jessup, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips and Donald R. Vaughan. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

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The meeting with a moment of silence and the pledge of allegiance to the flag.

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Lynn Donovan, Executive Director of the Music Center of the Parks and Recreation Department, spoke to various music programs and events offered through the Music Center. She introduced Ann Doyle, who led the Greensboro Youth Chorus Cantabile Singers, in singing the National Anthem in honor of President's Day. Ms. Doyle noted that the youth singers served as ambassadors and represented the City of Greensboro in their travels. Councilmember Burroughs-White requested a certificate of appreciation be given to each performer.

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The City Manager recognized Cynthia Blue, employee in the Housing and Community Development Department, who served as courier for the meeting.

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The Mayor outlined the procedure for conduct of the meeting.

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Mayor Holliday introduced a resolution honoring the memory of the late Linda C. Jones. Councilmember Johnson read the resolution into the record and stated she would deliver the resolution to the family of Ms. Jones.

After brief remarks, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan.

29-02 RESOLUTION HONORING THE MEMORY OF THE LATE LINDA C. JONES

WHEREAS, on January 30, 2002, this community lost one of its outstanding leaders with the death of Linda C. Jones at the age of 52;

WHEREAS, Ms. Jones was a native of Newport News, Virginia and relocated to Greensboro in the 1980s where she was a neighborhood outreach worker through Holy Trinity Episcopal Church;

WHEREAS, Ms. Jones was best known in this community as a take charge kind of woman with a can-do attitude, and undertook numerous projects capitalizing on the strengths that already existed making the community and those surrounding it even stronger;

WHEREAS, many of her hours were spent on community projects – most notably the \$76 million Hope VI neighborhood redevelopment project at the Morningside Homes housing community and surrounding neighborhoods;

WHEREAS, Linda organized the Eastside Neighborhood Association and had said “everybody has something they can do” and she believed that people should look to one another and be committed to helping each other;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation for the many years of dedicated public service rendered by Linda C. Jones, the outstanding contributions she has made to the Eastside and Morningside Homes and the legacy she leaves.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of Linda C. Jones.

2. That a copy of this resolution shall be delivered by the family of the late Ms. Jones as a symbol of the gratitude of the people of Greensboro for her many contributions to this community.

(Signed) Claudette Burroughs-White

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The Mayor introduced a resolution honoring the memory of the late Emily Worth Smith. Councilmember Burroughs-White read the resolution into the record. Following brief remarks, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

#### 30-02 RESOLUTION HONORING THE MEMORY OF THE LATE EMILY WORTH SMITH

WHEREAS, on January 21, 2002, the community lost one of its outstanding leaders with the death of Emily Worth Smith;

WHEREAS, Mrs. Smith was a graduate of Davenport Junior College and Greensboro College where she majored in Drama and became active in theatrical events;

WHEREAS, Emily, throughout her lifetime, served with distinction and was a champion of equality for women working to establish Greensboro’s Commission on the Status of Women;

WHEREAS, the Commission on the Status of Women recognized the accomplishments of this outstanding pioneer for women by creating its most distinguished award, “The Emily Smith Woman of Achievement Award” given annually in here honor;

WHEREAS, Mrs. Smith was active throughout the community where she was a charter member of Christ United Methodist Church, an Honorary Life Member of the Women’s Society of Christian Service, as well as involvement with YWCA; Battered Women’s Shelter, PTSA, and Girl Scouts;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated service rendered by Emily Worth Smith.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro a deep sense of loss and a feeling of respect and gratitude for the life of Emily Worth Smith.

2. That a copy of this resolution shall be delivered by the family of the late Mrs. Smith as a symbol of the gratitude of the people of Greensboro for her many contributions to this community.

(Signed) Yvonne Johnson

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The Mayor recognized Fire Chief Johnny Teeters and Police Chief Robert White for the work of their departments on a tragic apartment fire.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance amending official zoning map and authorizing issuance of conditional use permit at the northeast intersection of Martin Luther King, Jr. Drive and East Florida Street. He stated this item was tabled at the October 16, 2001 meeting.

The Mayor asked if anyone wished to be heard. There being no one present who wished to be heard, C. Thomas Martin, Planning Department Director, stated that the applicant was not in attendance to pursue the rezoning and noted other actions the applicant had taken that were not in pursuit of the rezoning. He stated that Council could deny the request or withdraw it from the agenda.

Councilmember Vaughan thereupon moved that the ordinance amending official zoning map and authorizing issuance of conditional permit at northeast intersection of Martin Luther King, Jr. Drive and East Florida Street be withdrawn from the agenda. The motion was seconded by Councilmember Perkins and unanimously adopted by voice vote of Council.

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution closing Moton Drive from the eastern right-of-way line of Gillespie Street eastward for approximately 230 feet and then northward for 60 feet. So that these matters could be discussed together, Mayor Holliday also introduced a resolution closing Carver Drive from the western right-of-way line of Bingham Drive westward for 375 feet; a resolution closing Evans Street from the western right-of-way line of Jennifer Street southward for 35 feet; and a resolution closing Bingham Drive from the southern right-of-way line of Evans Street southward for 35 feet; a resolution closing Everitt Street from the eastern right-of-way line of Willow Hope Street as shown on the plat of Willow Oaks, Phase 1, northeastward to the southern right-of-way line of Everitt Street as shown on that plat, a centerline distance of approximately 120 feet, this closing to become effective upon recordation of that final plat.

The Mayor asked if anyone wished to be heard. There being no one present who wished to speak to these matters, the City Attorney affirmed that one roll call vote could be taken for these five resolutions. Following brief comments by Mr. Martin, Councilmember Johnson thereupon moved adoption of the resolutions. The motion was seconded by Councilmember Burroughs-White; the resolutions were adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

31-02 RESOLUTION CLOSING MOTON DRIVE FROM THE EASTERN RIGHT OF WAY LINE OF GILLESPIE STREET EASTWARD FOR APPROXIMATELY 230 FEET AND THEN NORTHWARD FOR 60 FEET

WHEREAS, the owner of all of the property abutting both sides of Moton Drive has requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, February 15, 2002 at 6:00 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned portion of street has requested in writing that said portion of street be closed.

2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following portion of street is hereby permanently closed and abandoned as a public street:

MOTON DRIVE – FROM THE EASTERN RIGHT OF WAY OF GILLESPIE STREET EASTWARD FOR APPROXIMATELY 230 FEET AND THEN NORTHWARD FOR 60 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Yvonne J. Johnson

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32-02 RESOLUTION CLOSING CARVER DRIVE – FROM THE WESTERN RIGHT OF WAY LINE OF BINGHAM DRIVE WESTWARD FOR 375 FEET

WHEREAS, the owner of all of the property abutting both sides of Carver Drive has requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, February 15, 2002 at 6:00 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned portion of street has requested in writing that said portion of street be closed.

2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following portion of street is hereby permanently closed and abandoned as a public street:

CARVER DRIVE – FROM THE WESTERN RIGHT OF WAY LINE OF BINGHAM DRIVE WESTWARD FOR 375 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Yvonne J. Johnson

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33-02 RESOLUTION CLOSING EVANS STREET FROM THE WESTERN RIGHT OF WAY LINE OF JENNIFER STREET WESTWARD FOR 370 FEET

WHEREAS, the owner of all of the property abutting both sides of Carver Drive has requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, February 15, 2002 at 6:00 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned portion of street has requested in writing that said portion of street be closed.

2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following portion of street is hereby permanently closed and abandoned as a public street:

EVANS STREET – FROM THE WESTERN RIGHT OF WAY LINE OF JENNIFER STREET WESTWARD  
FOR 370 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Yvonne J. Johnson

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34-02 RESOLUTION CLOSING BINGHAM DRIVE FROM THE SOUTHERN RIGHT OF WAY LINE OF  
EVANS STREET SOUTHWARD FOR 35 FEET

WHEREAS, the owner of all of the property abutting both sides of Bingham Drive has requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, February 19, 2002, at 6:00 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned portion of street have requested in writing that said portion of street be closed.

2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following portion of street is hereby permanently closed and abandoned as a public street:

BINGHAM DRIVE FROM THE SOUTHERN RIGHT OF WAY LINE OF EVANS STREET SOUTHWARD  
FOR 35 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Yvonne J. Johnson

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35-02 RESOLUTION CLOSING EVERITT STREET FROM THE EASTERN RIGHT OF WAY LINE OF WILLOW HOPE STREET AS SHOWN ON THE PLAT OF WILLOW OAKS, PHASE 1, NORTHEASTWARD TO THE SOUTHERN RIGHT OF WAY LINE OF EVERITT STREET AS SHOWN ON THAT PLAT, A CENTERLINE DISTANCE OF APPROXIMATELY 120 FEET, THIS CLOSING TO BECOME EFFECTIVE UPON RECORDATION OF THAT FINAL PLAT

WHEREAS, the owner of all of the property abutting both sides of Everitt Street has requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, February 19, 2002, at 6:00 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned portion of street has requested in writing that said portion of street be closed.

2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following portion of street is hereby permanently closed and abandoned as a public street:

EVERITT STREET FROM THE EASTERN RIGHT OF WAY LINE OF WILLOW HOPE STREET AS SHOWN ON THE PLAT OF WILLOW OAKS, PHASE 1, NORTHEASTWARD TO THE SOUTHERN RIGHT OF WAY LINE OF EVERITT STREET AS SHOWN ON THAT PLAT, A CENTERLINE DISTANCE OF APPROXIMATELY 120 FEET, THIS CLOSING TO BECOME EFFECTIVE UPON RECORDATION OF THAT FINAL PLAT

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Yvonne J. Johnson

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution closing unnamed alley, 12.15 feet in width from East Friendly Avenue southward for 123.52 feet and then approximately 16 feet in width eastwardly for 162.38 feet.

Mr. Martin presented a land use map and slides of the property and surrounding area. He stated the Planning Department had recommended in favor of the alley closing.

After Councilmember Perkins stated he owned the property, Councilmember Carmany thereupon moved to excuse Councilmember Perkins from voting for this item. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council.

The Mayor asked if anyone wished to speak to this matter.

John Stratton, residing at 2 Elm Ridge Lane, spoke in favor of the resolution and described plans for the proposed condominium construction project. Mr. Stratton presented a rendering for illustrative purposes and slides of the property in its existing condition. He stated that the other property owners along the alley were not opposed to the partial alley closing.

There being no one else present wishing to speak to this matter, Councilmember Vaughan moved to close the public hearing. The motion was seconded by Councilmember Gatten; the motion was unanimously adopted by voice

vote of Council.

Councilmember Johnson thereupon moved adoption of the resolution. The motion was seconded by Councilmember Carmany. The resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Phillips and Vaughan. Noes: None, with Councilmember Perkins abstaining due to conflict of interest.

36-02 RESOLUTION CLOSING UNNAMED ALLEY, 12.15 FEET IN WIDTH FROM EAST FRIENDLY AVENUE SOUTHWARD FOR 123.52 FEET AND THEN APPROXIMATELY 16 FEET IN WIDTH EASTWARDLY FOR 162.38 FEET

WHEREAS, the owner of all of the property abutting both sides of an unnamed alley has requested in writing that said alley be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in Melvin Municipal Office Building on Tuesday, February 19, 2002, at 6:00 p.m. on the closing of said alley;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned alley has requested in writing that said alley be closed to the general public and the City's interest therein released;

2. That the City Council hereby finds as a fact that the closing of the alley to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the alley or in the subdivision in which the alley is located will be deprived of reasonable means of ingress or egress to his or its property;

3. That the following alley is hereby permanently closed to the general public and the City's interest therein released:

UNNAMED ALLEY, 12.15 FEET IN WIDTH FROM EAST FRIENDLY AVENUE SOUTHWARD FOR 123.52 FEET AND THEN APPROXIMATELY 16 FEET IN WIDTH EASTWARDLY FOR 162.38 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned alley until such time as said line is no longer required by the City.

(Signed) Yvonne J. Johnson

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 10 of the Greensboro Code of Ordinances with respect to Fire Prevention and Protection. He introduced so that these matters could be discussed together: an ordinance amending Chapter 6 of the Greensboro Code of Ordinances with respect to the Pilot Code Program for rehabilitation of existing buildings based upon the New Jersey Uniform Construction Code Rehabilitation Subcode in accordance with North Carolina Session Law 2001-372 and amending the City Building Code in accordance therewith; and a resolution adopting the Pilot Code Program for Rehabilitation of existing buildings based upon the New Jersey Uniform Construction Code Rehabilitation Subcode in accordance with North Carolina Session Law 2001-372 and amending the City's Building Code in accordance therewith.

The City Manager stated that Council had previously been provided with a summary of these actions to bring the City into compliance with new state and federal codes.

The Mayor asked if anyone wished to speak to this matter. No one present wished to be heard.

Walter Simmons, Interim Director of the Engineering and Inspections Department, spoke on behalf of the Building Inspections Division of the Engineering Department. He explained that the adaptation of New Jersey Codes would give more latitude to designers to develop downtown buildings for mixed use and that life safety requirements would not change in the Fire Safety code. Mr. Simmons noted that workshops on the code changes would be offered to the public through partnerships including Downtown Greensboro, Inc., Trebic and homeowners associations.

Councilmember Phillips moved adoption of the ordinance amending Chapter 10 of the Greensboro Code of Ordinances with respect to Fire Prevention and Protection. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-22 AMENDING CHAPTER 10

AN ORDINANCE AMENDING CHAPTER 10 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO FIRE PREVENTION AND PROTECTION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Sec. 10-21 of the Greensboro Code of Ordinances is hereby amended by rewriting subsection (a) to read as follows:

“(a) Except as hereinafter amended, the provisions of the North Carolina Fire Prevention Code, current edition, adopted by the North Carolina Building Code Council is hereby adopted and made applicable as the Fire Prevention and Control Ordinance of the city. A copy of same shall be on file in the office of the city clerk.”

Section 2. That Sec. 10-21 of the Greensboro Code of Ordinances is hereby amended by rewriting subsection (b) to read as follows:

“(b) Amendments to the North Carolina Fire Prevention Code, which are adopted and published by the North Carolina State Building Code Council shall be effective on the date prescribed by the North Carolina State Building Code Council.”

Section 3. That Sec. 10-21 of the Greensboro Code of Ordinances is hereby amended by rewriting subsection (c) to read as follows:

“(c) The North Carolina State Building Code volume that is titled Administration & Enforcement Requirements is hereby referenced for the administration of the North Carolina Fire Prevention Code, current edition for periodic inspection of building altered, repaired or rehabilitated in accordance with the Existing Building Code.”

Section 4. That all laws and clauses of laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. That this ordinance shall become effective immediately upon its adoption.

(Signed) Thomas M. Phillips

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Councilmember Phillips thereupon moved adoption of the ordinance amending Chapter 6 of the Greensboro Code of Ordinances with respect to the Pilot Code Program for rehabilitation of existing buildings based upon the New Jersey Uniform Construction Code Rehabilitation Subcode in accordance with North Carolina Session Law 2001-372 and amending the City Building Code in accordance therewith. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-23 AMENDING CHAPTER 6



AN ORDINANCE AMENDING CHAPTER 6 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO BUILDINGS AND BUILDING REGULATIONS IN ACCORDANCE WITH THE NORTH CAROLINA STATE BUILDING CODE AS AMENDED BY THE NORTH CAROLINA STATE BUILDING CODE COUNCIL

Be it ordained by the City Council of the City of Greensboro:

Section 1. That Section 6-22 of the Greensboro Code of Ordinances is hereby amended by rewriting subsection (b) to read as follows:

“(b) The following volumes of the North Carolina State Building Code as amended shall be applicable to construction activities:

~~Volume I—Administration & Enforcement Requirements—1996 Edition~~  
~~Volume IC—Accessibility Code—1999 Edition (Effective July 1, 1999)~~  
Building Code (General Construction)  
~~Volume II—Plumbing Code—1996 Edition~~  
~~Volume III—Mechanical Code—1996 Edition~~  
~~Volume IV—Electrical Code—1999 Edition~~  
~~Volume V—Fire Prevention Code—1996 Edition~~  
~~Volume VI—Fuel Gas Code—1996 Edition~~  
~~Volume VII—Residential Code—1997 Edition~~  
~~Volume VIII—Modular Construction Requirements—1994 Edition~~  
~~Volume IX—Existing Building Code—1995 Edition~~  
~~Volume X—Energy Code—1996 Edition~~

Section 2. That all laws and clauses of laws in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 3. That this Ordinance shall become effective on and after February 28, 2002.

(Signed) Thomas M. Phillips

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Councilmember Phillips thereupon moved adoption of the resolution adopting the Pilot Code Program for Rehabilitation of existing buildings based upon the New Jersey Uniform Construction Code Rehabilitation Subcode in accordance with North Carolina Session Law 2001-372 and amending the City’s Building Code in accordance therewith. The motion was seconded by Councilmember Gatten; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

37-02 RESOLUTION ADOPTING THE PILOT CODE PROGRAM FOR REHABILITATION OF EXISING BUILDINGS BASED UPON THE NEW JERSEY UNIFORM CONSTRUCTION CODE REHABILITATION SUBCODE IN ACCORDANCE WITH NORTH CAROLINA SESSION LAW 2001-372 AND AMENDING THE CITY’S BUILDING CODE IN ACCORDANCE THEREWITH

WHEREAS, the North Carolina General Assembly has established a pilot code program to promote the rehabilitation of existing buildings utilizing a rehabilitation code developed by the State of New Jersey and the City of Greensboro is an eligible local jurisdiction as defined in the pilot program; and

WHEREAS, the City Council of Greensboro must formally adopt the pilot code in order to participate in the pilot code program and so notify the North Carolina Department of Insurance and the lead local jurisdiction.

WHEREAS, the pilot code program expires on January 1, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO,

That the Greensboro City Council hereby adopts the pilot code program for the rehabilitation of existing buildings based upon the New Jersey Uniform Construction Code and instructs staff to so notify the Department of Insurance and the lead local jurisdiction and hereby amends the existing building code to the extent necessary to conform with the pilot code program.

(Signed) Thomas M. Phillips

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Moving to the Consent Agenda, Councilmember Johnson removed items 17, 18 and 19 from the Consent Agenda. Councilmember Johnson thereupon moved adoption of the Consent Agenda as amended. The motion was seconded by Councilmember Vaughan; the amended Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-24 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR FY 2001-02 PARKS AND RECREATION N.C. SENIOR CENTER PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5068-01.4140	Roster Salaries	\$ 1,080
220-5068-01.5214	Office Equipment & Furniture	<u>5,235</u>
Total		\$ 6,315

and, that this increase be financed by increasing the following State, Federal and Other Grants Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5068-01.9101	Transfer from General Fund	\$ 635
220-5068-01.7110	State Grant	<u>5,680</u>
Total		\$ 6,315

(Signed) Yvonne J. Johnson

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02-25 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR FY 2001-2002 PARKS AND RECREATION "HALLELUJAH/IN PRAISE OF OUR DIFFERENCES" PERFORMANCE PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5065-01.5413	Consultant Services	\$ <u>4,500</u>
Total		\$ 4,500

and, that this increase be financed by increasing the following State, Federal and Other Grants Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5065-01.7170	Local Grants	<u>4,500</u>
Total		\$ 4,500

(Signed) Yvonne J. Johnson

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02-26 ORDINANCE AMENDING THE FEDERAL, STATE, AND OTHER GRANTS PROJECT FUND BUDGET FOR COPS MORE 2001 PROGRAM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 01-02 Budget of the City of Greensboro is hereby amended as follows

That the appropriation for the Federal, State, and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3567-01.5427	Contracted Construction	\$516,200
220-3567-01.6059	Other Capital	<u>\$280,300</u>
Total		\$796,500

And, that this increase be financed by increasing the following Federal, State, and Other Grants Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3567-01.7100	Federal Grant	\$597,375
220-3561-01.7104	Federal Forfeiture	<u>\$199,125</u>
Total		\$796,500

(Signed) Yvonne J. Johnson

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38-02 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2000-08A WITH KENNETH R. GREENE, UTILITY CONTRACTOR, INC. FOR SANITARY SEWER REHABILITATION PROJECT 'E'

WHEREAS, Contract No. 2000-08A with Kenneth R. Greene, Utility Contractor, Inc. provides for sanitary sewer rehabilitation Project "E" improvements;

WHEREAS, due to special conditions of the Contract, the City reserves the right to extend this Contract as a "Unit Price Contract" for a period of 12 months from the award date, thereby necessitating a change order in the contract in the amount of \$300,072.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Kenneth R. Greene, Utility Contractor, Inc. for the Sanitary Sewer Rehabilitation Project "E" Improvements is hereby authorized at a total cost of \$300,072.00, payment of said additional amount to be made from Account No. 503-7011-01.6017 (007).

(Signed) Yvonne J. Johnson

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39-02 RESOLUTION DIRECTING THE CITY TAX COLLECTOR TO ADVERTISE LIENS ON REAL ESTATE FOR DELINQUENT, SUBSTANDARD STRUCTURE CHARGES, SOLID WASTE CHARGES, WATER RENTS AND NUISANCE ABATEMENT CHARGES FOR THE YEAR 2001

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Tax Collector be and is hereby directed to prepare and publish, in accordance with law, a list showing: (1) the names of all persons by whom substandard structure charges, solid waste charges, water rents and nuisance abatement charges are due and (2) the amount of each such substandard structure charge, solid waste charge, water rent or nuisance abatement charge. Such publication shall commence not earlier than March 3, 2002.

2. That the City Tax Collector be and is hereby directed to cause the publication of the above-mentioned list on the NEWS AND RECORD.

3. That, in addition to following the foreclosure method prescribed by G.S. 105-374, the City Tax Collector be and is hereby authorized to institute the In rem method of foreclosure pursuant to G.S. 105-375.

(Signed) Yvonne J. Johnson

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40-02 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY OF C. A. BOREN HEIRS FOR THE NORWALK STREET IMPROVEMENTS

WHEREAS, in connection with the Norwalk Street improvements project, the property owned by C. A. Boren Heirs, Tax Map No. 456-2-2 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$27,500.00, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$27,500.00 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 402-4531-01.6012 CBR 007.

(Signed) Yvonne J. Johnson

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41-02 RESOLUTION CALLING A PUBLIC HEARING FOR MARCH 5, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON CLARIDGE COURT – 13.371 ACRES

WHEREAS, the owners of all the hereinafter described property, which is non-contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 19th day of February, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON CLARIDGE COURT – 13.371 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point, said point being on the southern right of way of Postbridge Drive and having North Carolina Grid Coordinates of North=818280.34, East=1736524.16; thence, along the southern right of way of Postbridge Drive the following five courses and distances: Along a curve to the left having a radius of 325.00 feet and an arc length of 38.40 feet, being subtended by a chord with bearing of North 25 degrees 03 minutes 34 seconds East for a distance of 38.38 feet to a point; thence, North 21 degrees 40 minutes 21 seconds East for a distance of 310.72 feet to a point; thence, along a curve to the right having a radius of 315.00 feet and an arc length of 425.51 feet, being subtended by a chord with bearing of North 60 degrees 22 minutes 15 seconds East for a distance of 393.89 feet to a point; thence, South 80 degrees 55 minutes 55 seconds East for a distance of 907.57 feet to a point; thence, along a curve to the right having a radius of 315.00 feet and an arc length of 112.32 feet, being subtended by a chord of South 70 degrees 43 minutes 00 seconds East for a distance of 111.73 feet to a point; thence, South 66 degrees 19 minutes 10 seconds West for a distance of 467.37 feet to a point; thence, South 44 degrees 31 minutes 10 seconds West for a distance of 208.28 feet to a point; thence, South 66 degrees 36 minutes 43 seconds West for a distance of 384.43 feet to a point; thence, North 74 degrees 59 minutes 65 seconds West for a distance of 234.68 feet to a point; thence, South 56 degrees 53 minutes 48 seconds West for a distance of 66.98 feet to a point; thence, North 64 degrees 29 minutes 18 seconds West for a distance of 293.66 feet to the Point and Place of Beginning.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after May 31, 2002, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 1/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2002. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after May 31, 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, March 5, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than February 23, 2002.

(Signed) Yvonne J. Johnson

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42-02 RESOLUTION CALLING A PUBLIC HEARING FOR MARCH 5, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON THE NORTH SIDE OF MCKNIGHT MILL ROAD – 5.33 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 19th day of February, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED NORTH SIDE OF MCKNIGHT MILL ROAD – 5.33 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a concrete monument in the existing Greensboro corporate limits (as of November 30, 2001), said monument being the northeast corner of Lot 1 of Rockwood Manor, as recorded in Plat Book 67, Page 18 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS N 74° 15' 00" E 209.65 feet along the south line of Sunline USA Group, Inc. to the northwest corner of Lot 1 of Property of Greater Greensboro Housing Foundation, Inc., as recorded in Plat Book 139, Page 150 in the Office of the Register of Deeds, said point being in the existing Greensboro city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 02° 14' 05" W approximately 1170 feet along the west lines of Lots 1 and 2 of said subdivision to a point in the north right-of-way line of McKnight Mill Road; thence in a westerly direction along said right-of-way line approximately 200 feet to the southeast corner of Lot 2 of Rockwood Manor; thence N 02° 31' 08" E 1142.94 feet along the east lines of Lots 2 and 1 of Rockwood Manor to the point and place of BEGINNING, and containing approximately 5.33 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after May 31, 2002, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 1/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2002. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after May 31, 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, March 5, 2002, at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than February 23, 2002.

(Signed) Yvonne J. Johnson

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\*\*The **FIRST READING** of the Resolution approving Telecommunications Franchise Agreement between the City of Greensboro and Dominion Telecom, Inc. received unanimous voice vote of Council. The Second Reading for this Resolution will be held at the regular Council meeting of 5 March 2002.

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44-02 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN  
PORTION OF THE PROPERTY OF SURECRAFT, INC., IN CONNECTION WITH THE CALUMET  
PLACE SANITARY SEWER OUTFALL PROJECT

WHEREAS, Surecraft, Inc. is the owner of certain property located on Calumet Place, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Calumet Place Sanitary Sewer Outfall Project;

WHEREAS, negotiations with the owners at the appraised value of \$121.00 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the amount of \$121.00;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$121.00 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 503-7011-02.6012 CBR 005.

(Signed) Yvonne J. Johnson

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Motion to make a part of the minutes a report of budget adjustments covering period of January 1-31, 2002 was unanimously adopted. (The report of budget adjustments is filed in Exhibit Drawer N, Exhibit #1 and is hereby referred to and made a part of these minutes.)

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Motion to approve minutes of January 29, 2002 District Five Council Meeting and February 5, 2002 regular Council meeting was unanimously adopted.

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Councilmember Johnson stated she had removed the ordinance changing the name of Moton Drive to Willow Hope Street; the ordinance changing the name of Bingham Drive between Carver Drive and Evans Street to Old Heritage Trail and the ordinance changing the name of Everitt Street, for that portion lying within the proposed alignment of Willow Hope Street as shown on the plat of Willow Oaks, Phase 1, to Willow Hope Street from the consent agenda to address questions with respect to the reasons for the street renamings and the inclusion of the community in this process. She stated she would meet with residents in the near future. Andy Scott, Director of Housing and Community Development advised that staff would also provide information.

Following brief discussion, Councilmember Johnson moved to continue the ordinances renaming the above streets to the 29 March 2002 Council meeting. The motion was seconded by Councilmember Burroughs-White and unanimously adopted by voice vote of Council.

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**\*\*Minutes changed to reflect First Reading of this resolution and not adoption at this meeting.**

Mayor Holliday introduced an ordinance amending in the amount of \$1,200,000 the Street and Sidewalk Fund Budget to account for the Red Light Camera Program. The City Manager provided a brief explanation with respect to the recommended budget transfer and noted that the Street and Sidewalk funds would not have any impact on planned projects. Councilmember Carmany clarified that \$1.2 million was the total income. Mike Cramer, of the Transportation Department, stated that revenues from the Red Light Camera Program had been lower than anticipated. Following Council comments, the Manager stated that staff would work to address this in upcoming budget plans. Council shared various opinions with respect to the value and objectives of the program.

Councilmember Johnson thereupon moved adoption of the ordinance. The motion was seconded by Councilmember Burroughs-White; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips, and Vaughan. Noes: None.

02-27 ORDINANCE AMENDING THE STREET AND SIDEWALK FUND BUDGET TO ACCOUNT FOR THE RED LIGHT CAMERA PROGRAM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 01-02 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Street and Sidewalk Fund be decreased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
201-4501-01.5429	Other Contracted Services	<u>\$1,200,000</u> \$1,200,000

and, that this decrease be financed by decreasing the following Street and Sidewalk Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
201-4501-01.7350	Red Light Camera Violations	<u>\$1,200,000</u> \$1,200,000

(Signed) Yvonne J. Johnson

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Mayor Holliday introduced an ordinance establishing in the amount of \$3,000,000 FY-01-02 Grant Project Budget for the Lead-Based Paint Hazard Control Program. Bill Black, Housing Redevelopment Administrator from the Housing and Community Development Department, provided information and a presentation on the Lead-Based Paint Hazard Control Program. He presented a map listing twelve areas in Greensboro targeted for the grant and noted that the grant funds were not limited to the targeted areas. Mr. Black outlined program strategies, funding sources, target criteria, and partnership activities in the areas of lead hazard remediation, education and outreach, job training and program evaluation.

Councilmember Perkins requested staff to contact the organization, TREBIC, to include professional builders and realtors in partnering efforts. Council discussed their concern with respect to addressing lead-based hazard control in buildings owned by absentee landlords. They requested staff look at potential code enhancements to require landlords to bring substandard housing due to lead –paint hazards up to standard.

Council commended staff for their involvement in the program and requested to be advised of the startup of program activity. Mr. Black outlined the remaining steps needed for program implementation to begin.

Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by



Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-28 ORDINANCE ESTABLISHING FY 01-02 GRANT PROJECT BUDGET FOR THE LEAD-BASED PAINT HAZARD CONTROL PROGRAM

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects;

WHEREAS, the primary goal of the Lead-Based Paint Hazard Control Program is to protect children in low-income households from lead-based paint and other public health hazards by identifying and removing lead hazards from eligible properties.

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, and to permit the use of continuing appropriations to account for the Lead-Based Paint Hazard Control Program FY 01-02 through FY 04-05, it is deemed in the best interest of the City to establish a special grant project ordinance for the Lead-Based Paint Hazard Control Program FY 01-02 through FY 04-05, with the revenues and expenditures being established as shown below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
220-2252-01.4110	Salaries & Wages	\$ 141,185
220-2252-01.4510	FICA	11,535
220-2252-01.4520	Retirement	10,240
220-2252-01.4610	Health Coverage	13,557
220-2252-01.4650	Dental Coverage	1,119
220-2252-01.4710	Life Insurance	897
220-2252-01.5111	Telephone	1,950
220-2252-01.5114	Cellular Phones	263
220-2252-01.5213	Office Supplies	2,020
220-2252-01.5214	Office Equipment	900
220-2252-01.5221	Advertising	1,500
220-2252-01.5244	Gasoline	300
220-2252-01.5253	Rent-Parking Subsidy	975
220-2252-01.5256	Rental of Licensed Vehicles	4,875
220-2252-01.5412	Legal Services	3,700
220-2252-01.5413	Consultants	2,719,633
220-2252-01.5431	In-house Printing	1,500
220-2252-01.5432	Desktop Services	9,971
220-2252-01.5439	Other Internal Services	53,380
220-2252-01.5520	Seminar/Training Expenses	5,000
220-2252-01.5411	Auditing Services	<u>15,500</u>
Total		\$ 3,000,000

and, that this increase be financed by increasing the following State, Federal and Other Grants Fund account:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
220-2252-01.7100	Federal Grant	\$ 3,000,000
Total		\$ 3,000,000

(Signed) Claudette Burroughs-White

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The Mayor introduced a resolution renaming the Guilford College Branch Library to the Kathleen Clay Family Branch Library. The Manager stated that the attachment with the proposed name had been revised just before the meeting; and distributed the updated proposal to Council.

The Mayor read the resolution into the record.

Richard Gray, residing at 6 St. Francis Court, expressed appreciation to the Council on behalf of Ms. Edwards, who had donated the land for this library.

Dale Tompkins, President of the Library Board, spoke to Ms. Edwards' love of the City, children and books and thanked the City on her behalf for naming the library after her family.

On behalf of Council, Councilmember Gatten expressed deep appreciation to Ms. Edwards for her gifts to the community and to Councilmember Burroughs-White for her work as liaison to the Library Board. Councilmember Gatten thereupon moved the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

#### 44-02 RESOLUTION RENAMING THE GUILFORD COLLEGE BRANCH LIBRARY TO THE KATHLEEN CLAY EDWARDS FAMILY BRANCH LIBRARY

WHEREAS, in 2000 voters approved funding for a new Guilford College Branch Library to replace the existing facility in the Quaker Village Shopping Center;

WHEREAS, in December 2001, the City Council approved locating the new library in the Julian and Ethel Clay Price Park located on the site of the Jefferson Pilot Clubhouse;

WHEREAS, a request has been received from Kathleen Bryan Edwards to rename the library the Kathleen Clay Edwards Family Branch Library;

WHEREAS, Ms. Edwards has been instrumental in acquiring the Jefferson Pilot land and advocating for the library to be relocated to this site;

WHEREAS, the City Council desires to express its sincere appreciation to Ms. Edwards and feels that it is both deserving and appropriate that the Guilford College Branch Library be renamed the Kathleen Clay Edwards Family Branch Library in her honor.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, for the distinguished service to the citizens of Greensboro and as a most deserving tribute, the Guilford College Branch Library hereinafter be named the "Kathleen Clay Edwards Family Branch Library" in honor of this dedicated citizen.

(Signed) Florence F. Gatten

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The Mayor asked Councilmember Phillips to facilitate a discussion of Conflict of Interest Policy for Council-Appointed Boards. Councilmember Phillips reminded Council of past conflict of interest observed on the Community Resource Board. He noted that Councilmember Burroughs-White had recommended the development of an overall policy to eliminate the possibility of basing decisions on individuals. He referenced the draft policy in the Council packet which stated "No one may serve as a member of the Community Resource Board (CRB) who serves on the Board of Directors, is an employee of any agency, or is affiliated in any way with an agency who seeks funds from the CRB." Council appeared to concur that a board member involved with a CRB grant would have to resign from the board to accept the grant. Council and the City Attorney discussed and clarified issues specific to interpretation of the new policy.

Councilmember Phillips moved that Council adopt the following conflict of interest policy:

“No one may serve as a member of the Community Resource Board (CRB) who serves on the board of directors, is an employee of any agency, or is affiliated in any way with an agency who seeks funds from the CRB.”

The motion was seconded by Councilmember Vaughan and adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

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The Mayor invited speakers from the floor to address Council prior to considering an addendum to the agenda to be proposed by the City Manager.

Peter Placentino, of Brown Investment Properties of Greensboro, stated he represented the Triad Apartment Association. He spoke to the tragic apartment fire in Greensboro during the past week and the need for updates to the existing building code to better address fire safety with respect to exteriors of multi-dwelling buildings by using heat detectors on landings. Mr. Placentino stated that City staff and the Apartment Association were working together to develop code enhancements that might serve as a model for state and federal codes.

Councilmember Johnson requested staff to develop an ordinance for Council’s consideration. Mr. Simmons, Engineering and Inspections interim Director, stated that staff was in the process of meeting with members of the community and would develop a proposal for Council’s consideration.

Royce Hawley, of the Signature Program Group with offices located at 4605-G Dundas Drive, stated that this firm owned the apartment complex that had been burned recently. He stated his firm supported the proposed life safety code enhancements and expressed appreciation to emergency workers and community members for their support and assistance to the victims and their families.

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David Dansby, residing at 1420 Larchmont Drive, spoke on behalf of the NAACP, stated this organization had voted to oppose the use of Community Development Block Grant (CDBG) funds for a baseball stadium at their recent Executive Committee meeting. He expressed the opinion that CDBG funds should be used provide human services needed by citizens lacking other resources and that baseball should be funded from private sources.

Joe Williams stated he paid his taxes at 701 East Market Street. Speaking on behalf of the George Simpkins Political Action Committee, he expressed concerns with respect to the impact the re-allocation of CDBG funds to a baseball stadium could have on area residents.

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Representative Alma Adams thanked Council for their support of the Guilford Delegation and expressed concerns with respect to the impact that allocation of CDBG funds to a baseball stadium could have on community members who benefit from CDBG programs. She expressed her opinion that the DCBG funds were the wrong source of funds for a baseball stadium. Following discussion of the impact of state budget cuts and coping strategies, Representative Adams offered to meet with the City Council and other area municipal elected officials to develop strategies to address the budget shortfall.

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The Mayor declared a recess at 8: 02 p.m.

The meeting reconvened with all members present except for Councilmember Vaughan.

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The City Manager provided information to Council and presented an overview of steps he had already taken to

reduce approximately \$1 million in City expenditures as Phase 1 of a response to the potential \$9.5 million that had been anticipated in revenue, but was now in jeopardy. He presented Phase 2, a proposal of measures to deal with approximately another \$6.5 million of the shortfall by delaying expenses and implementation of planned expansions of services, capital improvement projects and debt service. He explained the process and benefits of delaying bond issuance and the importance of a strong fund balance to maintain a high bond rating. Additionally, the Manager recommended withholding 4th quarter payments to outside agencies due in May and freezing Council Contingency funds. The Manager stated that Phase 3 of the plan designed to maintain an adequate fund balance would be presented to Council in the near future. He requested authorization to move forward with implementation of savings measures specified in Phase 2 of his proposal.

In addition to presenting a short term budgeting strategy, the Manager expressed concern with respect to the long term forecast for the economy in the Piedmont Triad and State due to several factors including lower than anticipated sales tax revenues. He spoke to the impact the fund balance at this years end would have on the upcoming budget cycle and emphasized the need to budget conservatively as part of a continuing strategy. He noted that his first priority was to maintain basic and essential city services.

After council discussed the potential impact of the present hiring freeze, various program and project delays and cut backs, with respect to potential impact of the budget shortfall; they expressed appreciation to the City Manager for his diligence in addressing this matter. Councilmember Phillips moved to authorize and instruct the City Manager to move forward and carry out the program cuts, delays and other monetary savings techniques as outlined in his presentation this evening. The motion was seconded by Councilmember Gatten and was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Perkins, Phillips, and Vaughan (voting in absentia as provided for by law). Noes: None.

(A summary of the City Manager's presentation is filed in Exhibit Drawer N, Exhibit Number 34, which is hereby referred to and made a part of these minutes.)

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The Mayor announced that Councilmember Vaughan had left the meeting due to illness.

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Following brief discussion, Councilmember Phillips moved that Council freeze their travel funds for trips and meetings (excluding trips with arrangements already in process). The motion was seconded by Councilmember Gatten and adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Perkins, Phillips and Vaughan (voting in absentia as provided for by law). Noes: None.

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The City Manager distributed to Council a resolution regarding the State of North Carolina budget crisis and the Governor's withholding of local government inventory tax reimbursements and state-collected local utility franchise tax, beer and wine tax, and homestead exemption revenues. He stated that he would present a proposal to address this estimated \$9.5 million revenue shortfall and request Council to authorize him to implement the proposed actions.

Following brief comments by Council, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Carmany. Following brief discussion, Councilmember Johnson moved to amend the resolution by inserting the word "strong" in front of the word opposition under the first item and to substitute the words "strongly request" in place of "encourage" under the second item. The motion was seconded by Councilmember Carmany, and adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Perkins, Phillips and Vaughan (voting in absentia as provided for by law). Noes: None.

45-02 RESOLUTION REGARDING THE STATE OF NORTH CAROLINA BUDGET CRISIS AND THE GOVERNOR'S WITHHOLDING OF LOCAL GOVERNMENT INVENTORY TAX REIMBURSEMENTS AND STATE-COLLECTED LOCAL UTILITY FRANCHISE TAX, BEER AND WINE TAX, AND HOMESTEAD EXEMPTION REVENUES

WHEREAS, local governments across North Carolina, including the City of Greensboro, rely on state reimbursements and state-collected local revenues to help fund operation of vital local services to citizens; and

WHEREAS, the Governor of the State of North Carolina has imposed a freeze on local reimbursements for the inventory tax and on state-collected local revenues for utility franchise taxes, beer and wine taxes, and homestead exemptions in an effort to balance the State budget; and

WHEREAS, the withholding of these revenues will produce a \$7,986,049 shortfall to the City of Greensboro.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City of Greensboro expresses its strong opposition to the actions by Governor Michael Easley to:
  - a. withhold \$4,688,560 from the City of Greensboro in state-collected Local Utility Franchise Tax payments;
  - b. withhold \$934,350 from the City of Greensboro in Beer and Wine Tax payments;
  - c. withhold \$79,766 from the City of Greensboro in Homestead Exemption payments; and
  - d. withhold \$2,283,373 from the City of Greensboro in Local Government Inventory Tax Reimbursements.
2. That the City of Greensboro, North Carolina strongly requests Governor Michael Easley to forward these critical revenues to each local government immediately so that local government services can continue to be delivered without interruption or delay.

(Signed) Yvonne J. Johnson

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Councilmember Carmany moved that Martin Rosenberg be appointed to the GCTV Board in the position formerly held by Cynthia Dorman; this term will expire 1 July 2003. The motion was seconded by Councilmember Perkins and unanimously adopted by voice vote of Council.

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Councilmember Johnson moved that the name of Ronald Gaston be placed in the boards and commissions data bank for consideration of future service.

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Councilmember Gatten moved to appoint Reid Phillips to the Community Resource Board in the position formerly held by Mary Rakestraw; this term will expire 15 August 03. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council.

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Councilmember Burroughs-White moved to appoint Linda Wilson to the Commission on the Status of Women in the position formerly held by Mandy Lotz; this term will expire 15 August 2005. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

Councilmember Burroughs-White moved that Karlan H. Barker be appointed to the Commission on the Status of Women to the position formerly held by Zanzella Savoy; this term will expire 15 August 04. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

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Councilmember Jessup added the name of Pauline Lowe to the Boards and Commissions data bank for consideration of future service.

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Mayor Holliday stated that William Watson had declined reappointment to the Bryan Park Golf Commission .

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Council spoke to recent and upcoming community events.

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Councilmember Carmany moved to adjourn to closed session for the purpose of discussing a legal claim. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

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THE CITY COUNCIL ADJOURNED AT 9:24 PM.

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Susan E. Crotts  
Deputy City Clerk

Keith A. Holliday  
Mayor

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